

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
27 JUNE 2012

COUNCIL MEETING

Minute of Council Meeting in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 27 June 2012 at 2.00pm.

Present: Provost E Grant, Councillors H Anderson, R Band, M Barnacle, P Barrett, R Brock, I Campbell, J Coburn, A Cowan, D Cuthbert, D Doogan, B Ellis, J Flynn, A Gaunt, J Giacomazzi, C Gillies, A Grant, T Gray, K Howie, A Jack, J Kellas, G Laing, M Lyle, E MacLachlan, A MacLellan, D Melloy, I Miller, A Munro, D Pover, M Roberts, W Robertson, C Shiers, L Simpson, A Stewart, H Stewart, B Vaughan, G Walker, M Williamson, W Wilson, and A Younger.

Also Attending: B Malone (Chief Executive); J Irons (Depute Chief Executive); G Taylor, I Innes, S Mackenzie, C Flynn, R Fry, M Kay and A Taylor (all Chief Executive's Service); D Burke, Executive Director (Housing and Community Care) and J Walker, Depute Director (Housing and Community Care); J Fyffe, Executive Director (Education and Children's Services); T Yule and L Dott (up to Art. 317) (both Education and Children's Services); J Valentine, Executive Director (Environment); B Renton and D Littlejohn (both The Environment Service).

Also Attending: P Tate (Audit Scotland, External Auditors) (up to Art. 317).

Apology for Absence: Councillor A Livingstone.

Provost E Grant, Presiding.

Prior to the commencement of business:

(i) Draft Statement of Accounts for 2011/12

Provost Grant advised that the Draft Statement of Accounts for 2011/12 for Perth and Kinross Council would be available for circulation to elected members from lunchtime on Thursday 28 June, prior to submission to Audit Scotland.

(ii) Bernadette Malone, Chief Executive, Award of CBE

On behalf of the Council, Provost Grant congratulated Bernadette Malone, Chief Executive on being awarded the Commander of the Order of the British Empire in the Queen's Birthday Honours List 2012 for her services to local government and referred to her efforts to constantly improve services, deliver value for money and enhance the quality of life for all Perth and Kinross residents, and her contribution to the Council being recognised as one of the leading Councils in Scotland.

Councillor I Miller added his congratulations, highlighting the Chief Executive's significant impact locally and nationally particularly in child protection and corporate parenting.

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313. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

314. MINUTES

(a) Meeting of 25 April 2012

The Minute of Meeting of the Council of 25 April 2012 (Arts. 202-212) was submitted, approved as a correct record and authorised for signature.

(b) Meeting of 23 May 2012

The Minute of Meeting of the Council of 23 May 2012 (Arts. 213-220) was submitted, approved as a correct record and authorised for signature.

315. MINUTES OF COMMITTEES

Minutes of Committees from 18 April 2012 to 13 June 2012

The decisions recorded in Arts. 177-201 and 221-280 copies of which had been circulated to all members of the Council were submitted and noted/approved as necessary.

316. ASSURANCE AND IMPROVEMENT PLAN UPDATE 2012-15

There was submitted a report by the Chief Executive (12/260) outlining the Assurance and Improvement Plan prepared by the Local Area Network of audit, inspection and regulation bodies to inform the Council of the strategic scrutiny activity planned for 2012 to 2015.

P Tate, Audit Scotland, External Auditor was invited to comment on the report and answer members' questions thereon.

J Walker, Depute Director, Housing and Community Care, reported on the action taken to strengthen the internal audit section to ensure the External Auditors could place reliance on their work.

Resolved:

The Assurance and Improvement Plan for 2012-2015 as detailed in Report 12/260 be noted.

317. ANNUAL PERFORMANCE REPORT 2011/12

There was submitted a report by the Chief Executive (12/261) providing an overview of how the Perth and Kinross Community Planning Partnership has

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performed against the Single Outcome Agreement 2009-2011 and how Perth and Kinross Council has performed against the Council's Corporate Plan 2009-12 and in delivering Best Value for the period 1 April 2012 to 31 March 2012.

Resolved:

- (i) The Annual Performance Report for 2011/12 appended to Report 12/261 be approved.
- (ii) The Annual Performance Report for 2011/12 be submitted to the Community Planning Partnership meeting on 21 September 2012.
- (iii) Officers provide members with further information on (1) the review of detection levels for racist crime, (2) the interface with Scottish Water and (3) the key points of NHS Tayside's Sexual Health Strategy in relation to action on the level of teenage pregnancies.

318. APPOINTMENT OF MEMBER TO THE PERTH AND KINROSS LICENSING BOARD

Resolved:

Councillor W Wilson replace Councillor A Jack on the Perth and Kinross Licensing Board.

319. RE-ESTABLISHMENT OF MEMBER/OFFICER WORKING GROUPS

Resolved:

- (i) The following Member/Officer Working Groups, be re-established and Council members be appointed to serve on the groups as follows:-

Affordable Housing Member/Officer Working Group

Five members be appointed, being Councillor P Barrett, I Campbell, D Doogan, J Flynn and K Howie.

Corporate Parenting Member/Officer Working Group

Five elected members be appointed, being Councillor B Band, C Shiers, G Walker, W Wilson, and a further opposition Member, together with the two existing Non-Council members.

Equality and Diversity Member/Officer Working Group

Five members be appointed, being Councillors P Barrett, J Coburn, D Pover, A MacLellan and H Stewart.

- (ii) Planning Etc (Scotland) Act 2006 Member/Officer Working Group

The Planning Etc (Scotland) Act 2006 Member/Officer Working Group be re-established with the specific remit of reviewing the Council's ongoing arrangements regarding the development management process and the following Council members be appointed to serve on the Group:

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Councillors J Kellas, Convener of the Enterprise and Infrastructure Committee, J Giacomazzi, Vice Convener of the Enterprise and Infrastructure Committee T Gray, Convener of the Development Management Committee; M Barnacle, I Campbell, A Livingstone and A Gaunt.

320. APPOINTMENT OF REPRESENTATIVES TO COMMUNITY PLANNING PARTNERSHIPS, PARTNER ORGANISATIONS AND EXTERNAL BODIES

There was submitted a report by the Head of Democratic Services (12/262) on the appointment of representatives to the Community Planning Partnerships and Partner Organisations and External Bodies.

(i) Community Planning Partnerships

Motion (Councillors I Miller and A Grant) -

The following appointments to Community Planning Partnerships be agreed:-

Community Safety Partnership

- 1 Councillor D Pover**
- 2 Councillor J Coburn**
- 3 Councillor H Stewart**

Economic Partnership

- 1 Councillor J Kellas**
- 2 Councillor J Giacomazzi**
- 3 Councillor A Livingstone**

Environment Partnership

- 1 Councillor A Grant**
- 2 Councillor M Williamson**
- 3 Councillor M Lyle**

Lifelong Learning Partnership

- 1 Councillor B Band**
- 2 Councillor G Walker**
- 3 Councillor C Shiers**

Strategic Health Partnership

- 1 Councillor D Doogan**
- 2 Councillor K Howie**
- 3 Councillor I Campbell**

Amendment (Councillors P Barrett and A MacLellan) -

Opposition members on the Community Planning Partnerships be as follows:-

Community Safety Partnership – Councillor A MacLellan
Economic Partnership – Councillor A Livingstone
Environment Partnership – Councillor M Barnacle
Lifelong Learning Partnership – Councillor W Wilson
Strategic Health Partnership – Councillor P Barrett

Amendment – 13 votes

Motion – 27 votes

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Resolved:

In accordance with the Motion.

(ii) Partner Organisations and External Bodies

Resolved:

The following appointments to the Partner Organisations and External Bodies be agreed:-

Cairngorms National Park Board	Councillor K Howie
COSLA Executive Groups:	
– Community Wellbeing and Safety	Councillor D Pover
– Education, Children and Young People	Councillor G Walker
– Health and Wellbeing	Councillor K Howie
– Regeneration and Sustainable Development	Councillor J Kellas
– Resources and Capacity	Councillor D Doogan
– Strategic Human Resource Management	Councillor A Younger
– All of Scotland Commonwealth Games 2012 Group	Councillor B Ellis
Loch Lomond and the Trossachs National Park Board	Councillor B Ellis
St Andrew's Ambulance Association Council of Trustees	Councillor D Pover
NHS Tayside	Councillor D Doogan
Perth Prison Visiting Committee	Current Non-Council members Mr G Jain and Mr R Mangto be reappointed.
Tayside Contracts Joint Committee	Councillor H Anderson
Perth & Kinross Society for the Blind – Management Committee	Councillor J Coburn
Perth & Kinross Sports Council	Councillor C Gillies
Scots Language Centre Association Limited – Executive Committee	Councillors K Howie and J Giacopazzi

321. PERTH CITY HALL

There was submitted a report by the Depute Chief Executive (12/263) advising that Historic Scotland, on behalf of Scottish Ministers, had refused listed building consent for the demolition of Perth City Hall and seeking authority to work with Historic Scotland and market the availability of the building to ascertain the nature of any unexplored options for re-use.

J Irons, Depute Chief Executive, provided background information and reported that Historic Scotland's Decision Notice was available on the Council's website; that officers had met with Historic Scotland whose principal concern is that (1) there may be options for reuse of the building that had not yet been fully explored, (2) the Council's assessment that alternative uses will require significant public subsidy is based on assumptions made by the Council's consultants rather than a direct approach to the market, and (3) that Historic Scotland had suggested that the building be marketed for a period of 3 months with a further 9 months for prospective developers to demonstrate the viability and sustainability of any

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proposals and offered to work with Council officers to advise on the buildability and viability of any proposals which would also require listed building consent.

Resolved:

- (i) It be noted that Listed Building Consent for the demolition of Perth City Hall has been refused by Historic Scotland on behalf of Scottish Ministers.
- (ii) The principal conclusion that “there remain some options which the Council has not yet explored which could allow for the re-use of the building or the preservation of elements of its special interest” be noted.
- (iii) Other unexplored options which may exist be investigated through marketing the availability of the building for a period of 3 months with a further period of 9 months to allow prospective developers to demonstrate the viability and wider economic benefits of any proposals together with details of funding.
- (iv) The offer by Historic Scotland to work with Council officers and to give advice on the buildability, viability and sustainability of any proposals that come forward be welcomed and accepted.
- (v) Officers be instructed to report progress to the Property Sub Committee at appropriate points in the process.

322. CITY OF PERTH – TOWARDS A DEVELOPMENT STRATEGY (CONSULTATION)

There was submitted a report by the Executive Director (Environment) (12/264) outlining proposals that will form the basis of a consultation with key stakeholders to identify priorities to inform a comprehensive strategy and action plan that will deliver the Council's ambition to develop Perth City as an excellent place to live, work and visit.

Resolved:

- (i) The City of Perth – Towards a Development Strategy attached as Appendix 1 to Report 12/264 be approved.
- (ii) The Executive Director (Environment) be instructed to undertake consultation with key stakeholders.
- (iii) The Executive Director (Environment) be instructed to bring forward a detailed strategy and action plan to a future meeting of the Council.

323. GLENEAGLES RAILWAY STATION – PROPOSED NEW ACCESS ROAD

There was submitted a report by the Depute Chief Executive (12/265) and amended Plan (PK/SK/219(B)) as Appendix 1 to Report 12/265, seeking authority to acquire land either by negotiation or by compulsory purchase to facilitate the construction of a new access road that will link Gleneagles Station to the A823/A9 roundabout.

Resolved:

- (i) Negotiations be entered into with affected owners for the purchase of land required to facilitate the construction of a new access road as referred to in Report 12/265.

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- (ii) The Head of Legal Services be instructed to initiate the statutory procedures to acquire the land by compulsory purchase in parallel with the negotiated process.
- (iii) The promotion under Section 103 and 104 of the Roads (Scotland) Act 1984 and The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 of the Gleneagles Station Link Road Compulsory Purchase Order 2012 to acquire the land shown on the Plan PK/SK/219(B) appended to Report 12/265 be authorised.

324. VALEDICTORY - RETIRAL OF MR J IRONS, DEPUTE CHIEF EXECUTIVE

Provost Grant referred to the retiral of Mr Jim Irons, Depute Chief Executive after 42 years of local government service and paid tribute to the dedicated service Mr Irons had given to local government and his contribution as Executive Director (Environment) from 1995 and as Depute Chief Executive since 2006, particularly his commitment to delivering excellence and continuous improvement in the Environment Service and the Council as a whole, which had helped to shape the success story of the Council, and wished him and his wife, Frances, well for a long and happy retirement.

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